

Amendment No. 1 to SB1346

Yager
Signature of Sponsor

AMEND Senate Bill No. 1346*

House Bill No. 1313

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-2010, is amended by adding the following as a new subsection:

(c)

(1) Delinquent taxes on property that was demolished, or substantially damaged as a result of a coal ash spill occurring in this state after December 1, 2008, and before January 1, 2009 shall not be subject to the penalty and interest provided in subsection (a) but shall only accrue interest from the delinquency date of the respective tax year at the composite prime rate published by the federal reserve board as of the delinquency date, minus two (2) points. Property shall be deemed substantially damaged when, as a consequence of such coal ash spill, it has been rendered unfit for use or occupancy, the owner has filed legal action against TVA in the appropriate court of law and the court has issued an order finding TVA responsible for the damage.

(2) The owner must apply for this relief to the appropriate collecting official by September 1, 2013, using a form approved by the director of the state division of property assessments and shall file a copy with the assessor of property. The owner shall provide the address and description of any destroyed, demolished or substantially damaged real property for which such relief under this subsection (c) is sought and a copy of the legal action filed against TVA. The collecting official shall adjust the penalty and interest in accordance with this

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subsection (c) and collection of such tax, penalty and interest shall be in full satisfaction of the property tax assessment for those tax years.

(3) This subsection (c) shall be effective retroactively to January 1, 2009 and shall only apply to penalties and interest imposed for the 2009 and 2010 tax years.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 3. This act shall take effect on becoming law, the public welfare requiring it and shall cease to be effective on January 1, 2014.